

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION

*This document relates to:*

*All Cases Listed In Appendix A*

MDL No. 2804

Case No. 1:17-md-2804

JUDGE DAN AARON POLSTER

**STIPULATION AND [PROPOSED] ORDER  
DISMISSING WITH PREJUDICE CLAIMS  
PURSUANT TO SETTLEMENT AGREEMENT**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for Plaintiffs identified in Appendix A (collectively, the “Dismissing Plaintiffs”) and Defendants McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation (collectively and together with their Released Entities, the “Settling Distributor Defendants”<sup>1</sup>) that, pursuant to the election of each Dismissing Plaintiff to participate in the Distributors Oklahoma Settlement Agreement, which was announced on June 27, 2022 and dated as of June 24, 2022 (a copy of which is attached as Appendix B), which is binding on the Dismissing Plaintiffs and the Settling Distributor Defendants, and with the Effective Date to be the date that the Consent Judgment is entered, all claims of each Dismissing Plaintiff against any Settling Distributor

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<sup>1</sup> The Released Entities are each and every entity of any of the Settling Distributor Defendants that is a “Released Entity” as set forth in Section I.HHH and Exhibit J of Exhibit I of the Distributors Oklahoma Settlement Agreement, dated as of June 24, 2022 a copy of the agreement is attached as Appendix B. Appendix C, also attached hereto, represents a good faith effort by the Settling Distributor Defendants to list all Released Entities that may be individually named in any of the Dismissing Plaintiffs’ complaints. Appendix C is not intended to limit the scope of Released Entities, and to the extent that Dismissing Plaintiffs or Settling Distributor Defendants subsequently identify any Released Entity that should have been included on Appendix C, they will inform the Clerk of the Court.

Defendants, including any entity identified on the attached Appendix C, are hereby voluntarily  
**DISMISSED WITH PREJUDICE**, with each party to bear its own costs and attorneys' fees.

The Court shall retain jurisdiction with respect to the Distributors Oklahoma Settlement  
Agreement to the extent provided under that Agreement.

Dated October 13, 2022

Respectfully submitted,

Agreed as to form and substance:

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**SO ORDERED:**

Dated: \_\_\_\_\_

HON. DAN AARON POLSTER

**CERTIFICATE OF SERVICE**

I hereby certify that, on October 13, 2022, the above Stipulation And [Proposed] Order Dismissing With Prejudice Claims Pursuant To Settlement Agreement was served on all counsel of record via the CM/ECF system.

/s/ Robert A. Nicholas

Robert A. Nicholas